

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Waldman offered the following:

2
3 **Amendment to Amendment (763933)**

4 Remove lines 44-125 of the amendment and insert:

5 (a) "Amusement game or machine" means a coin-operated or
6 other currency-operated game designed and operated for the bona
7 fide amusement of the general public and tourists, including
8 minors, and not for gambling.

9 (b) "Arcade amusement center" means a place of business
10 having at least 50 coin-operated or other currency-operated
11 amusement games or machines on premises which are operated for
12 the entertainment of the general public and tourists as a bona
13 fide amusement facility.

14 (c) "Game played" means the event occurring from the
15 initial insertion of a coin or other currency until another coin

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16 is necessary to continue play or until the player may collect
17 winnings, whichever occurs first.

18 (d) "Merchandise" means noncash prizes, including toys and
19 novelties. The term does not include cash or any equivalent
20 thereof, including gift cards or certificates, or alcoholic
21 beverages.

22 (e) "Truck stop" means any dealer registered pursuant to
23 chapter 212, excluding marinas, which:

24 1. Declared its primary fuel business to be the sale of
25 diesel fuel;

26 2. Operates a minimum of six functional diesel fuel pumps;
27 and

28 3. Has coin-operated or other currency-operated amusement
29 games or machines on premises which are operated for the
30 entertainment of the general public and tourists as bona fide
31 amusement games or machines.

32 (2)-(1)-(a)1. Nothing contained in this chapter shall be
33 taken or construed to prohibit ~~as applicable to~~ an arcade
34 amusement center or truck stop from having amusement games or
35 machines which operate by means of the insertion of a coin or
36 other currency and which by application of skill ~~may~~ entitle the
37 person playing or operating the game or machine to receive
38 points or coupons redeemable onsite ~~which may be exchanged~~ for
39 merchandise only, excluding cash and alcoholic beverages,
40 provided the redemption cost ~~value of the merchandise or prize~~
41 ~~awarded in exchange for~~ such points or coupons does not exceed
42 75 cents on any game played.

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43 ~~2. Nothing contained in this chapter shall be taken or~~
44 ~~construed as applicable to any retail dealer who operates as a~~
45 ~~truck stop, as defined in chapter 336 and which operates a~~
46 ~~minimum of 6 functional diesel fuel pumps, having amusement~~
47 ~~games or machines which operate by means of the insertion of a~~
48 ~~coin or other currency and which by application of skill may~~
49 ~~entitle the person playing or operating the game or machine to~~
50 ~~receive points or coupons which may be exchanged for merchandise~~
51 ~~limited to noncash prizes, toys, novelties, and Florida Lottery~~
52 ~~products, excluding alcoholic beverages, provided the cost value~~
53 ~~of the merchandise or prize awarded in exchange for such points~~
54 ~~or coupons does not exceed 75 cents on any game played. This~~
55 ~~subparagraph applies only to games and machines which are~~
56 ~~operated for the entertainment of the general public and~~
57 ~~tourists as bona fide amusement games or machines. This~~
58 ~~subsection shall not apply, however, to any game or device~~
59 ~~defined as a gambling device in 24 U.S.C. s. 1171, which~~
60 ~~requires identification of each device by permanently affixing~~
61 ~~seriatim numbering and name, trade name, and date of manufacture~~
62 ~~under s. 1173, and registration with the United States Attorney~~
63 ~~General, unless excluded from applicability of the chapter under~~
64 ~~s. 1178. This subsection shall not be construed to authorize~~
65 ~~video poker games or any other game or machine that may be~~
66 ~~construed as a gambling device under Florida law.~~

67 (3)(b) Nothing in this chapter subsection shall be taken
68 or construed to prohibit as applicable to a coin-operated an
69 amusement game or machine device designed and manufactured only
70 for bona fide amusement purposes which operates by means of the

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71 insertion of a coin or other currency and ~~game or device may by~~
72 ~~application of skill~~ entitle the player, through the application
73 of skill, to replay the game or machine ~~device~~ at no additional
74 cost, if the game or device: can accumulate and react to no more
75 than 15 free replays; can be discharged of accumulated free
76 replays only by reactivating the game or device for one
77 additional play for such accumulated free replay; and can make
78 no permanent record, directly or indirectly, of free replays.†

79 (4) Nothing contained in this section shall be taken or
80 construed to authorize any game or device ~~and is not~~ classified
81 by the United States as a gambling device in 15 ~~24~~ U.S.C. s.
82 1171, which requires identification of each device by
83 permanently affixing seriatim numbering and name, trade name,
84 and date of manufacture under s. 1173, and registration with the
85 United States Attorney General, unless excluded from
86 applicability of the chapter under s. 1178;† ~~This subsection~~
87 ~~shall not be construed to authorize video poker games;†~~ games of
88 chance; or any other game or machine that may be construed as a
89 gambling device under Florida law.